

REMARKS/ARGUMENTS

The claims are 1-5, 8, and 10-17. Claim 1 has been amended to incorporate subject matter previously appearing in claims 6, 7, 9 and 16. Accordingly, claims 6-7 and 9 have been canceled, claims 16 and 17 have been amended in view of the amendment to claim 1, and claim 8, which previously depended on claim 7, has been amended to depend on claim 1. Reconsideration is expressly requested.

Claims 1-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Radovic et al. U.S. Patent No. 5,049,109* in view of *Meier et al. U.S. Patent No. 7,080,828*. Essentially the Examiner's position was that *Radovic et al.* discloses the hair removal paddle recited in the claims, except for the use of a vulcanized rubber mixture, which was said to be taught by *Meier et al.*

This rejection is respectfully traversed.

As set forth in claim 1 as amended, Applicants' invention provides a hair removal paddle, including a base body made of polymer material, as well as metallic additional components,

particularly for slaughtering pigs, whereby the polymer material is a vulcanized rubber mixture. The rubber mixture includes a rubber component as well as mixture ingredients, wherein the rubber mixture is free of plasticizers and the proportion of the rubber component amounts to 10 to 70 wt.-% with reference to the total mass of the rubber mixture. An active inhibitor is mixed into the polymer material, which prevents the growth of microorganisms. The inhibitor is uniformly distributed in the rubber mixture and the proportion of the inhibitor amounts to 0.1 to 10 wt.-% with reference to the total mass of the rubber mixture.

The primary reference to *Radovic et al.* fails to disclose or suggest a hair removal paddle including a base body made of a vulcanized rubber mixture as recited in claim 1 as amended. *Radovic et al.* like other references cited in Applicants' Information Disclosure Statement, namely *U.S. Patent No. 153,118 to George*, *U.S. Patent No. 2,604,656 to Anderson et al.*, *U.S. Patent No. 4,907,317 to Radovic et al.*, and *EP 0 665 717 B1*, simply relates to a hair removal paddle which has disadvantages to which Applicants' invention as recited in claim 1 as amended is directed toward overcoming.

The defects and deficiencies of the primary reference to *Radovic et al.* are nowhere disclosed or suggested by the secondary reference to *Meier et al.* which simply describes a microbe-resistant settling basin membrane and which it is respectfully submitted relates to a field remote from hair removal paddles. In any event, there is no disclosure or suggestion in *Meier et al.* of a vulcanized rubber mixture with an inhibitor having the specific ranges set forth in Applicants' claim 1 as amended. Therefore, even if one were to make the hypothetical combination suggested by the Examiner, one would still not achieve Applicants' hair removal paddle as recited in claim 1 as amended.

In addition, the purpose of a settling basin membrane (to which *Meier et al.* is directed) is to maintain the oxygen feed through the perforation of a membrane which is not the purpose in the case of a hair removal paddle as recited in Applicants' claim 1 as amended.

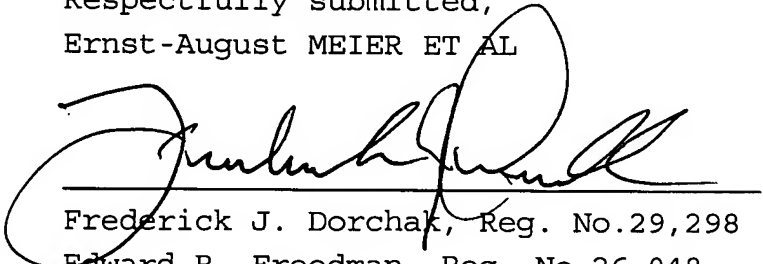
Accordingly, it is respectfully submitted that claim 1 as amended, together with claims 2-5, 8 and 10-17 which depend directly or indirectly thereon, are patentable over the cited references.

In addition, Applicants wish to advise the Examiner that a European Patent will be issuing on the corresponding European application within the next few months.

In summary, claims 1, 8, 16, and 17 have been amended and claims 6-7 and 9 have been canceled. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
Ernst-August MEIER ET AL

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802



Frederick J. Dorchak, Reg. No.29,298
Edward R. Freedman, Reg. No.26,048
Attorneys for Applicants

FJD:cmm

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 23, 2009.



Amy Klein

R:\Patents\WMEIER ET AL-3 PCT\Amendment in Response to First OA.wpd